

## REMARKS

In the Office Action mailed from the United States Patent and Trademark Office on April 6, 2005, the Examiner objected to claims 5, 12 and 28, and rejected claims 1-28.

### Objections

In the Office Action, the Examiner objected to claims 5, 12, and 28. The claims have been amended in accordance with Examiner's request.

### Rejections under 35 U.S.C. § 112

In the Office Action, the Examiner rejected claims 18 and 25 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. In accordance with Examiner's rejection, the word "ability" has been replaced with "data". Please see page 4, Lines 16-20 of the specification. It is also well known in the art to rank boxers based on data which relates to their ability.

In the Office Action, the Examiner rejected claims 7 and 14 under 35 U.S.C. 112, second paragraph, as being indefinite in that they fail to point out what is included or excluded by the claim language. In accordance with Examiner's rejection, the phrase "data location" has been replaced with "data storage location". This phrase more clearly describes the physical location at which the data is stored.

In the Office Action, the Examiner rejected claims 5 and 12 under 35 U.S.C. 112, second paragraph, in that they fail to further limit the claim. Applicant respectfully traverses. The phrase "coordinating an event" is well known to include performing all tasks associated with

holding an event. Selling merchandise is a critical part of an event in that it generates revenue which is may be used to fund the event.

#### Rejections under 35 U.S.C. § 102

In the Office Action, the Examiner rejected claims 1-3, 6-11, 13, 14, and 22-28 under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 6,249,282 to Sutcliffe et al. Applicant respectfully traverses. The standard for a Section 102 rejection is set forth in M.P.E.P 706.02, which provides:

“... for anticipation under 35 U.S.C. 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present.”

Claims 1, 8, 15, and 22 have been amended to further clarify the distinction detailed below. Sutcliffe fails to anticipate the claim limitations of the present invention. Sutcliffe describes a **matchmaking system** rather than **coordinating a competitive sporting event**. The matchmaking system taught in Sutcliffe does not anticipate the limitation of receiving information from at least one user regarding said user's willingness to consider participation in a **particular potential sporting event**. A particular potential sporting event is a particular event with defined participants rather than a general activity. A general activity is simply an activity which can involve a variety of locations, participants, etc. Sutcliffe teaches a system of matchmaking that includes people describing their hobbies such as sports. Someone who lists that they enjoy basketball is not expressing a willingness to play basketball with a certain person at a certain time but rather just a general enjoyment of the game of basketball. The Examiner cites Column 3, Lines 4-10 which includes “obtaining and storing characteristic and criteria data”. Characteristic data is not the same as a willingness to participate in a particular potential

sporting event. The Examiner also cites Column 10, Lines 62-67 through Column 11, Lines 1-4 which includes showing that characteristic data can include “preferred sports or activity partner”. As discussed above, this type of data is not does not include a willingness to participate in a particular potential sporting event. All of the rejected claims include a limitation regarding a **particular potential sporting event** and therefore are all distinguishable from Sutcliffe. Therefore, for at least these reasons, Applicant requests that this rejection be withdrawn.

#### Rejections under 35 U.S.C. § 103

In the Office Action, the Examiner rejected claims 4-5, 15-16, and 18-21 under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,249,282 to Sutcliffe et al. Applicant respectfully traverses.

To establish a *prima facie* case of obviousness, three criteria must be met. First, there must be some suggestion or motivation . . . to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. MPEP 2142.

As discussed above with respect to the rejections under 35 U.S.C 102, Sutcliffe fails to anticipate or teach the limitation of receiving information from at least one user regarding said user’s willingness to consider participation in a **particular potential sporting event**. Claims 4-5 are dependent from claim 1 and are allowable for at least the same reasons discussed above. Claim 15 also includes the limitation receiving information from at least one boxer regarding said boxer’s willingness to consider participating in a particular potential competitive boxing match. Therefore, for at least the same reasons discussed above, Sutcliffe fails to teach or

anticipate claim 15 and dependent claims 16 and 18-21. Applicant requests that the Examiner withdraw the rejection.

On page 8 of the Office Action, the Examiner indicates that the reference “angelfire.com” could alternatively be used to establish a 102 rejection. This reference deals with finding fighters to fill prescribed matches. The Examiner appears to be indicating that this system includes receiving a user’s willingness to participate in a particular boxing match. However, the claims of the present invention include, “organizing said information received from said at least one user into an electronically searchable format”. The information which is organized on this website is not the information which was received from users of the website but rather the information about the fighters who have already been assigned to each match. Therefore, this reference does not anticipate or teach the limitations of the present invention.

### CONCLUSION

Applicants submit that the amendments made herein do not add new matter and that the claims are now in condition for allowance. Accordingly, Applicants request favorable reconsideration. If the Examiner has any questions or concerns regarding this communication, the Examiner is invited to call the undersigned.

DATED this 20 day of May, 2005.

Respectfully submitted,



Michael F. Krieger  
Attorney for Applicants  
Registration No.: 35,232

KIRTON & McCONKIE  
1800 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84111  
Telephone: (801) 321-4814  
Facsimile: (801) 321-4893

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